

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

January 9, 2006

7:00 p.m.

The Mayor, Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Mr. Fisk, would you call the roll please?"

Clerk Fisk: "John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Craig Patton."

Councilman J. Frey: "Here."
Councilman Albier: "Here."
Councilwoman Pucci: "Here."
Councilwoman Brown: "Here."
Councilwoman Gallagher: "Here."
Councilman G. Frey: "Here."
Councilman Patton: "Here."

President Albier: "Tonight's agenda, we have two ordinances, Ordinance 2005-55, the second reading, Enacting Chapter 1360 of the Codified Ordinances of the City of Brooklyn, Ohio entitled Chapter 1360 – Property Maintenance and Rental Licensing Code; we also have Ordinance 2006-1, Authorizing agreements between the City of Brooklyn and the Greater Cleveland Hockey League for the use of the John M. Coyne Recreation Center for the Baron Cup Ice Hockey Tournaments to be held on February 6, 2006 through February 12, 2006. I need a motion for approval of the minutes of December 12th."

Councilwoman Pucci: "Mr. Albier, may I be recognized?"

Councilwoman Pucci: "Yes Mrs. Pucci."

Councilwoman Pucci: "On page four, I believe it's the 22nd line down, over to the left side, it says 'that we discussion in the Master Plan process', it should be 'discussed'. I think that was it."

President Albier: "Okay, I need a motion then..."

Councilwoman Gallagher: "Mr. Albier."

President Albier: "Yes Mrs. Gallagher."

Councilwoman Gallagher: "On page five, under my comments, line three, it's 'became' not 'because'. And also under my comments in the second paragraph, fourth line, it's 'has his life unravel'."

President Albier: "Okay. Anyone else?"

Councilwoman Pucci: "I move we approve as amended."

President Albier: "Second."

Clerk Fisk: "To approve the minutes of December 12th as amended, John Frey."

"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Craig Patton."

Councilman J. Frey: "I abstain."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Abstain."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Abstain."
Councilman Patton: "Abstain."

President Albier: "Okay, need approval of the minutes of the 27th of December."

Councilwoman Pucci: "May I be recognized Mr. Albier?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "On page 20, on the third paragraph, under Mr. Shaper's comments, the 6th line up from the end of that paragraph, where it says 'represents the represents', it should be 'represent the residents' of the City of Brooklyn. And I think there was one more on the back, just a moment please. And on page 28, the third paragraph up right from the bottom, under Greg Frey's comments, right on the left, it says 'assistant programs', I believe it should be 'assistance programs'. It should be winter heating bill assistance programs. Thank you."

President Albier: "Any other corrections?"

Councilwoman Pucci: "I move we approve as amended."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To approve the minutes of December 27th as amended, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Abstain."

President Albier: "At this point we'll have any comments from the audience that has anything, if anyone has anything to say for the good and welfare of the City of Brooklyn, please come forward, state your name and address."

Ivan Dockery: "My name is Ivan Dockery, I live on Northcliff Avenue. I just want to take this last opportunity before the 19th of January to urge everyone to attend the public airing of the new Master Plan. There'll be a public discussion from 6:00 until 8:00 at the Senior Citizens Center next to City Hall. There's be plenty of free parking behind City Hall and the recreation area. Thank you."

Shirley Palumbo: "Hi, happy new year. Shirley Palumbo, 10218 Micka Drive. I'm here for the Brooklyn Animal Shelter. And I'm announcing our first fundraiser is going to be a dine and donate day at Cici's Restaurant at Ridge Park Square January 31st. We'll have the flyers that you need to take with you on our website and available probably at City Hall and the library. But I'll make another announcement of where for sure at the next Council meeting. Thank you."

Angret Georgi: "Angret Georgi, 9508 Behrwald. Happy new year everybody. I'm here because I, as usual, saw the Council meeting, the last Council meeting December 27th. And I'm glad my son had invited me to dinner, because you might have had a one-woman revolt here. I'll read something from the Sunshine Law of Ohio. 'A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy or perhaps both. Knowledge will forever govern ignorance, and a people will mean to be their own governors must arm themselves with the power which knowledge gives.' This was written by James Madison in 1910. The other quote is, 'Liberty cannot be preserved without a general knowledge among the people who have a right and a desire to know. But besides this, they have a right, an indisputable, divine right, to that most dreaded and ??? kind of knowledge, I mean of the character and conduct of their rulers.' At this point I would suggest, Mr. John Frey, maybe you do want to retire. The rule in Ohio is that public records are the peoples' records... I guess you weren't there or you didn't see that. The rule in Ohio is that public records are peoples' records, and that the officials and whose ??? they happen to be are merely trustees for the people. Therefore, anyone may inspect such records at any time, subject only to the limitation that such inspection does not endanger the safety of the record or unreasonably interfere with the discharge of the duties of the officer having custody of same. And you know what I'm referring to, except the audience who may not understand. Mr. Frey, everyone who is employed by the City of Brooklyn, or any municipality, is paid by tax dollars, including what you receive. So when Mrs. Coyne-Gallagher quietly, decently, reasonably asked why the service staff, again, is being shorted, that there have been retirements and no replacements of staff, you, or wanted to have her be quiet and talk in other sessions or behind the signs in Finance meetings or whatever about it. This is a public matter, and she was elected by the public to speak about the things that we, some of us, want to know. Why are there differences? Why are fair labor

laws not being applied? Why are all of a sudden, and this is a repetition already of what happened a year before, why all of a sudden no funds available and that union is made available, aware or asked, to make concessions and saying you get only 1% more, and then towards the end of the year miraculously money appears again, because, what, our treasurer says the state says his books look fine, but he miraculously found books. So that where merchants who had too much stock in their warehouses and had to pay taxes on that? How? I'd like to know. And I'd like to know why you are not being fair to the employees of the city?"

Councilman J. Frey: "I'm sorry if I've upset you Angret, I'm very sorry."

President Balbier: "Mrs. Georgi, just direct your comments to the audience, don't single out a single Councilperson."

Mrs. Georgi: "And then also I would suggest that every city, and I have gone on the internet and found what the mean average salaries are of city employees, and I would suggest to Council, and that's why I'm looking at Council, that you do your elective duty and maybe create wage ranges. People, some people are to begin with, because of their educational background or experience or position they hold, are right away hired at a higher level. So if somebody who has a higher salary when they're hired receives a 2% increase, those who are hired at a lower level do not get the same increase when they get 2%. So why give those who are already disadvantaged, in a sense, 1%? Maybe the union should decide to have its negotiations at the very same time that everybody else does. That these all of a sudden appearances of monies, which have not been elaborated, I've been listening, and from where they've come from this year, or last year. Where do they come from? I have a right to know. Thank you."

President Balbier: "Thank you. Anyone else?"

Lou Changeri: "Good evening, my name's Lou Changeri, I live at 8972 Trail Run Drive. I want to back up Mr. Dockery about the Master Plan meeting a week from Thursday. And the reason I bring that up is that, what a lot of people don't know was, there were seven Councilmembers, there were 10 members of administration, and there were 12 members who were from, they were called advisory board members, we were from the populous, plus the business. And we want to make sure that everybody goes to this meeting so that everybody can see what this committee has tried to get together for the next 10 to 20 years. Okay? That's what it's about. And right now as we speak, about 220 plus members of the 107th Cav are being welcomed back in Akron. And I think that is a great achievement in the fact that they didn't lose one member in the whole year they were there. As most of you know, I take my Constitutional rights very seriously. And in this day and age when the First and Second Amendment are being attacked by people in and out of the country, I'd like to read an excerpt of an essay written by Katherine M. Dreeland, a 2005 Youth Education Summit participant from Corona, Arizona. I'm not sure if she's a junior or a senior in high school, but she was one of over 50,000 sophomores and juniors across the United States and Canada that applied, and only 347 participated. This essay was part of the application to attend, and it's from the NRA foundations. What I'd like to do is read this, it's about the Second Amendment."

President Balbier: "Lou, how long is this going to be?"

Mr. Changeri: "About two and a half minutes, if I read fast."

President Balbier: "Okay."

Mr. Changeri: "The Second Amendment and its significance in American society. The Second Amendment is the defender of other Amendments, and it continues to guarantee the right to defend ourselves. The Second Amendment gives the American people the right to bear arms, which is controversial in its interpretation. There are groups that defend the Second Amendment in its basic interpretation, like the NRA, but there are groups that believe our rights should be limited. Gun rights bring out an essential element of what America stands for, the right to choose for ourselves. The Second Amendment is the insurer of our liberty, no matter what happens. The Second Amendment embodies what makes America wonderful. It gives us the optional right to carry arms, and helps to show the amount of freedom that American citizens have. We have the choice to decide whether or not we want to be armed. This Amendment certifies that we have a government chosen by the people who stand up for themselves. It shows we will resist enemies, not serve them. The Second Amendment reflects part of the spirit of the United States. We may not need to

defend ourselves all of the time, but we certainly have the ability to if need be. We have the right to whenever we need to or not.' This is really important, this part. 'America is the land of choices, from our government leaders to what newspapers we read, to whether we carry a pistol revolver, to where our children go to school. We can choose to defend ourselves and our beliefs, or we can choose to rely on others for that protection. The Second Amendment is significant to everyone, even if they do not recognize it, simply because it ensures there will be somebody around who has the ability to defend others around him or her. Our forefathers felt strongly enough about their freedom to fight for American dependence, and the belief still exists today. The Second Amendment is incredibly important to some of the core values of the United States, like life, liberty and a pursuit of happiness, are all protected and made possible by our Constitutional rights, including the rights that we have to bear arms. The Second Amendment is the glue of the entire Bill of Rights. While we have the right to free speech and against unlawful seizure, something must be there to defend it, and that's the Second Amendment.' That's all I have to say."

President Albier: "Thank you. Anyone else care to speak?"

(Paula Ritter): "Good evening. Mayor Patton, members of Council, directors. When I heard the Sunshine Law being discussed, I had a grave memory problem, because it didn't sound like the words I heard spoken, in I believe 1975. And that Sunshine Law was introduced by Pat Sweeney. And one of the key factors of it, and please correct me, if I can recall, is personnel and finances can be discussed in executive session. At the last meeting I was amazed, because that sounded to me like personnel and finances being discussed in public meeting. And my final question, I am brief, is why is there a Finance Committee if that wasn't first discussed in the Finance Committee meeting? Thank you."

President Albier: "Thank you. Anyone else care to speak? If not, we'll move on to reports from Committees, Commissions and Boards, and the first is the Public Works Committee, and that would be Mr. Greg Frey."

Councilman G. Frey: "Are you going to give a report of the re-organization?"

President Albier: "Yeah, when I talk."

Councilman G. Frey: "Okay. Mr. Albier contacted me today and asked if we could convene a Public Works meeting to discuss the legislation on the new rental inspection, Property Maintenance and Licensing Code. This would be a public meeting at which we would I believe send out letters to the owners of rental properties within Brooklyn, and ask them to come, and they could make comment on our pending legislation, it's up for second reading tonight. It will be up, assuming it gets put on second reading tonight, it'll be up for adoption at the next Council meeting. In the meantime, they would like to have a public meeting so that the public can make comment on it. That meeting will be on Wednesday the 18th. I had said 6:00, but I think maybe because it's going to be a public meeting we should make it 7:00. And I would hope we could do it here, Mr. Albier?"

President Albier: "That's fine with me Greg."

Councilman G. Frey: "And Mr. Ockington and Mr. Shaper, you'll be available? Mayor?"

Mayor Patton: "Yes."

Councilman G. Frey: "But I'm not the expert on this, somebody's going to have to be here that..."

Comm. Ockington: "I'll be here."

Councilman G. Frey: "Okay. So there will be a Public Works meeting on Wednesday the 18th at 7:00 in the Council Chambers of City Hall. Thank you Mr. Albier."

President Albier: "Thank you Mr. Frey. Next is the Public Safety, and that would be Mrs. Gallagher."

Councilwoman Gallagher: "No report."

President Albier: "Thank you. Next is the Planning Commission, that would be Mr. John Frey."

Councilman J. Frey: "There was a meeting Thursday of the Planning Commission. One item was removed from the agenda, it had to do with a lot split, splitting a lot at 9000 Brookpark Road. It was not required because the lot had already been taken care of. And the second item was we approved St. Elias to put an elevator in so that they can have their elderly citizens use an elevator to get down into the basement of the church for their various bingo games or food ventures or what have you. And we approved that quite readily. And I thought maybe we should think about an elevator at Brooklyn City Hall for those of us that walk around with a cane and have a little problem going up those steps. So I thought maybe the Mayor and the Finance Director and this worthy Council would think about that. That's all I have to report."

President Albier: "Thank you Mr. Frey. Next is our new Councilman, Mr. Craig Patton, and he's been appointed to the Rec Board."

Councilman Patton: "Mr. Albier, no report, but the next Rec Board meeting will be January 30th at 6:30 in the Mayor's Court."

President Albier: "Thank you. Next is the Finance Committee, and that's Mrs. Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. The members of the Finance Committee for 2006 are myself, Mr. Albier and Mrs. Gallagher. And I was elected chairperson of that Committee, and I thank my colleagues for their support and confidence in me. We had a short agenda. 2005-55, which is the rental license ordinance, is going to be up for second reading. And just a little bit of clarification on the public meeting that we do have for this ordinance, it's not... Of course it's a public meeting, it's not just limited to owners of rental property. Because one can imagine owners of rental property will most likely be against having to pay an annual or semi-annual fee. This is for anyone who's concerned about property maintenance, specifically property maintenance as it concerns rental properties. And Mr. Frey announced the date of January 18th. We also had Ordinance #2005-1, which authorizes an agreement between the City of Brooklyn and the Greater Cleveland High School Hockey League for the use of our Rec Center for the Baron Cup. Sandy, I know that you had an earlier meeting, so you were not able to attend. We did need clarification on one thing. I don't know if anyone got a chance to mention it to you before the meeting."

Mgr. Balzer: "Number two?"

Councilwoman Pucci: "Yes."

Mgr. Balzer: "Baron Cup 1."

Councilwoman Pucci: "Is it supposed to be February 12th? Okay. Alright, thank you. We'll make that correction then. We also approved a request for the city to host the sectionals and districts for hockey, and this is the Ohio High School Athletic Association. And this will begin February 13th and conclude on March 4th. We received the Top 25 withholding tax payers; however, it's only for 11 months, since everything is not closed out yet. And we will receive a final report for 2005 some time after February 5th. We also received a timeline for the Tiedeman Road/I-480 interchange improvement. We expect to begin approximately April 1st, and it should take about 18 months to complete the first phase. And that completes my report, thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is Domestic Violence and Legislative Update, and that'll be Mrs. Gallagher."

Councilwoman Gallagher: "No report at this time Mr. Albier, thank you."

President Albier: "Thank you. Next is the Zoning Board of Appeals, and that's Mr. Ockington."

Comm. Ockington: "Due to the time conflict with the upcoming Master Plan meeting, the next Board of Zoning Appeals meeting has been rescheduled for January 26th at 7 p.m."

President Albier: "26th?"

Comm. Ockington: "Yes."

President Balbier: "Okay. Next we'll have reports of Council, and the first one up is Mr. John Frey."

Councilman John Frey: "I don't have much of a report, other than I'll do my best to satisfy those in the audience that get upset when I say something. And I apologize, Angret, that I don't say things you like to hear. That's all I have."

President Rich Balbier: "Thank you Mr. Frey. In the weeks to come we're going to start a committee to look into Brooklyn's Building Codes and Zoning ordinances. And so far I have myself, Mrs. Pucci, our Safety Director, and Mr. Ockington is going to be on the committee. If there's anybody in the city, especially if you're in the building trades or construction, and you want to have some input, now is the time to come forward. Just leave your name and phone number at City Hall, or contact me, because we'll be putting together this committee in the next few weeks, and we're going to look into it to bring all of our codes up to date. Also, tomorrow First Energy is going to do some tree trimming, and supposedly they've notified the people in the areas of Beech, Behrwald, Outlook, Torrance and Williamston. They're going to be trimming from 8:30 a.m. to 12:30 p.m. The power will be off. So if this inconveniences anyone, they could come over to the Senior Center. But if everything goes right the power should only be off for four hours in that area. And earlier this evening our City Charter states that we have to have an Organizational meeting, and we had one this evening until 5:45. And I was elected President, and I would like to thank my colleagues for that. When I was elected last year I thought it would only be a one year term, but they put me back in, and I'm grateful, and I want to thank each one of them. Also we elected Council Pro-Tem, and the Council Pro-Tem is Mrs. Rita Brown. And the Finance Committee is Mrs. Pucci, Mrs. Gallagher and myself, and Mrs. Pucci is the chair. Public Works if John Frey, Greg Frey and Craig Patton, and Greg Frey is the chair of the Public Works. The Safety Committee is Mrs. Pucci, Mrs. Brown and Mrs. Gallagher, and Mrs. Gallagher is the chair of the Safety Committee. And we have to appoint two people to the Volunteer Fire Fighter's Dependents Board by state code, and Greg Frey and myself are on that. And the Planning Commission is Mr. John Frey, he's been there quite a few years, and he knows it inside and out, and he was happy to have it back, and I was happy to appoint him. The Fair Housing is Mrs. Rita Brown. Domestic Violence and Legislative Update is Mrs. Gallagher. And the Rec Board will be Craig Patton. And that's all I have. Mrs. Pucci."

Councilwoman Kathy Pucci: "Thank you Mr. Balbier. Happy new year to everyone. And congratulations to Mr. Balbier on his election as President. I'd like to compliment you on the job you're doing. I think 2005 was a very productive year, and I look forward to another good year in 2006. Congratulations also to Mrs. Brown on being elected Pro-Tem. And welcome to Mr. Craig Patton. I'm sure you'll work hard and do a fine job. And I hope you're ready to do a lot of reading."

Councilman Patton: "Thanks."

Councilwoman Pucci: "We had a very nice swearing-in ceremony on January 1st. And I'd like to especially thank those employees and residents who took their own time on a holiday to attend the ceremony. I think we all appreciate the interest that you showed by attending. Also, Mr. Fisk, just a reminder for the next meeting, that we have an analysis on the disparity between the fire station estimates and the actual cost that came in on the bids. And Mr. Kappler, I had a message on my machine when I got home, just before I came here this evening, about a street light that's been on 24 hours a day at 4231 Brookway. If you could take care of that I'd appreciate it. And just... Go ahead. I'm sorry."

Director Kappler: "I will take care of it."

Councilwoman Pucci: "Okay, thank you. And just one more plug for the Master Plan meeting next week on January 19th. Please take the time to attend this very important meeting for our community. And that completes my report. Thank you Mr. Balbier."

President Balbier: "Thank you Mrs. Pucci. Mrs. Brown."

Councilwoman Rita Brown: "Thank you Mr. Balbier. I want to thank my colleagues for electing me President Pro-Tem. I thank you for the confidence you have in me. And congratulations to Mr. Balbier

being re-elected. He has done a very good job as President. And congratulations to all of the elected chairs to the various committees that we have. We're looking forward to a successful and fulfilling year for Brooklyn. I have every hope that all our hopes for Brooklyn will be fulfilled. I also urge everyone to attend the Master Plan meeting, and let Council know how you feel about it, because we have to vote on it, and we won't know unless you tell us. So please attend and let us know your thoughts. We would all appreciate it. Angret, I know you're a very busy lady, but you know, you're welcome to attend our Financial meetings. All of our meetings, except executive meetings, are open to the public. Any of you can come to our Financial meetings. You can probably gain a better understanding about what's happening. Because generally, what we get up here, we have an ordinance and we give a vote, and you don't have the ins and outs of how we came to a certain conclusion. They are at 6:30 before every Council meeting. You'll see us in the board office, so we're there, when you come in. Walk in, listen, know what's going on in our city. We don't want to hide anything. Okay. Mr. Frey, Public Works, the 18th at 7:00?"

Councilman G. Frey: "Yes."

Councilwoman Brown: "Okay. We've got that."

Councilman G. Frey: "Here."

Councilwoman Brown: "Mr. Frey, as you know, for years, years, Mrs. Ritter tried to get an elevator or an escalator of some sort into City Hall for the handicapped people. Now you and I have faced this. And I wish that Mrs. Ritter had been successful, but it's never too late. I hope, do hope that when, and if, we have the finances, we will get something in that will assist us reaching the second floor. I hate to take up a handicapped spot over at the fire station. And that completes my... Oh, oh, congratulations to Mr. Patton for joining our group. We expect a lot out of you."

Councilman Patton: "Thank you."

Councilwoman Brown: "And that completes my report."

President Albier: "Thank you Mrs. Brown. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mr. Albier. Good evening ladies and gentlemen. Mr. Ockington, I received a letter from a resident who lives next door to a vacant home, and it has been vacant for almost three years now. And she was very upset because her home has been broken into, and she feels that it is directly related to this abandoned property. This situation truly alarms me, and more importantly I'm concerned about the well being of our current residents and neighborhoods. I will also forward you a very disturbing picture of this abandoned residence that lady sent me after the meeting. For my final item tonight, I would like to call a Public Safety meeting for next Monday, January 16th at 7:00 p.m. to discuss implementing a neighborhood crime prevention program. We need to identify the problems in our neighborhoods and come together to solve these problems. I would also like to address a 12-week community police academy which allows our residents to learn about police procedure and public awareness. I also received a letter regarding the appointment of Don Hilberg as Safety Director. Mayor, I applaud you on this recommendation. Don is a great guy, and I feel he will do a good job. Congratulations to Rich Albier as our new Council President and Rita Brown as our Council Pro-Tem. And Craig Patton, welcome to our Council."

Councilman Patton: "Thanks."

Councilwoman Gallagher: "That completes my report."

President Albier: "Mrs. Gallagher, do you want your meeting on the 16th? That's a holiday and the City Hall is closed that day."

Mayor Patton: "And that's also in conflict with the Republican Club State of the City Address."

Councilman G. Frey: "Oh, it is? Okay."

Councilwoman Brown: "You want Tuesday the 17th? Wednesday is Public Works and Thursday is Master Plan."

Councilwoman Pucci: "I can't make it Tuesday."

Councilwoman Gallagher: "Well, how about Wednesday before the Public Works? Is that a problem?"

Councilwoman Pucci: "That's fine for me."

Councilwoman Brown: "Yeah, I can do that."

Councilwoman Gallagher: "Okay, 6:00?"

Councilwoman Brown: "6:00, yeah."

President Albier: "Okay, so your meeting will be on Wednesday?"

Councilwoman Gallagher: "January 18th at 6:00."

President Albier: "Okay, and the Public Works is at 7. Okay."

Councilwoman Gallagher: "Thank you."

President Albier: "Alright, thank you Mrs. Gallagher. Next is Mr. Greg Frey."

Councilman Greg Frey: "Thank you Mr. Albier. Congratulations to you. And Mr. Patton, congratulations to you, welcome. I want to thank Chief Murphy. I gave him a call today regarding a contact I had from a resident on Manoa regarding the light at Manoa and Tiedeman being flashing for the last three days, and people on Manoa were having a difficult time getting out onto Tiedeman. And I saw Chief Murphy two hours later and it was fixed. So thank you Chief, I appreciate your expedient response. Miss DiNafrio, the reporter for the Sun Times, I need to pick an issue with you. Your article in the last paper indicates that Greg Frey voted against both putting 2% in additional compensation on the agenda for both sets of workers, and approving it. John Frey also voted no each time, except when Council was asked to approve 2% in additional compensation for the Service Department employees. That's wrong. I would refer you to page 23 and 24 of the minutes. I voted for the 2% for the Service employees and for the AFSCME employees in City Hall. Okay? I voted no on the Council floor about changing the ordinance that had been approved in the Finance Committee from 1% to 2% on the Council floor. The reason I did that is because there had been no discussion. That should have been discussed at the Finance, it wasn't. There had been no provision made in the budget for it. There needs to be a provision in the budget if you're going to do that kind of thing. We spent \$26,000 that we didn't have a provision to spend. And that needed to be worked out ahead of time, not as something that was discussed on the Council floor. Okay? That's why I voted no on those two. Then the third ordinance, and you know, going on in this article, I was quite upset when I read the Sun Times. Going on in this article, Mrs. Gallagher comments that she did not bring the issue to Council before the meeting because she knew it would not be popular with some Councilmembers, and she did not want to argue this issue. Well, Mrs. Gallagher, you are one of seven, okay? The Council acts only as a unit. The people of Brooklyn have yet to invest you with the executive authority. When they do, then you can do that. Until they do, you need to act in concert with the Council, okay? I wouldn't necessarily have disagreed with you on the 2%. If the money was there I'd have been happy to do it. Was very grateful to our employees last winter when they agreed to the zero percent, because I did not want to sit here and vote to lay off our city employees. I did not want to do that. And that was the situation, the financial situation we had. Mrs. Griffin, or Mrs. Georgi, I would point out to you that we talk at great length at Council meetings about the financial condition of the city. In 2004 and in 2003 our income tax revenue actually declined slightly, did it not Mr. Fisk?"

Director Fisk: "Yes."

Councilman G. Frey: "Okay, we did not know what it was going to do in 2005. In 2005 we went into the year with a carry-over of about \$1.9 million, which is about what we need to prudently manage our books.

We need a 60 day carry-over to pay salaries and keep the lights on in the city. Okay, that's about two months of spending, \$1.9 million. Our budget, as we went into 2005, was calling for us to spend \$500,000 more than we anticipated bringing in. Now due to some excellent work by the directors and by the Finance Director, we were able to trim back the budget and bring it into line with our revenue. And because our income tax increased by approximately 8% in 2005, we were able to balance our books and at least, I think, we were close, to matching our revenues with our expenditures so that as we went into 2006 we are at approximately the same 1.9 million carry-over. That's not extra money that we have, that is what we need to have in escrow to carry the city for at least 60 days. So that if what happens in New Orleans, okay... The day after Katrina hits New Orleans, the Mayor says I can't pay the city employees."

From audience: "Why are you missing my point?"

Councilman G. Frey: "Well your point was that you don't understand where the money, that we're hiding the money. We are not, okay. I'm not going to engage you in conversation about that, I just want to point that out. Also, while I'm at this, I was dismayed that one group of employees was left out of the 2%. We passed a 1% increase for the non-union employees. Pursuant to Rule 16 of Council rules, which is Reconsideration, I at this time move that we reconsider Ordinance #2005-49. And I'm quite prepared to go through them every single position one by one by one, and move that we change that from 1% to 2%, so that we're not discriminating against a bunch of city employees."

Councilman J. Frey: "I second that motion."

Councilwoman Brown: "Discussion."

President Albier: "Mrs. Brown."

Councilwoman Brown: "I will reiterate at this time that that is a very confusing ordinance, and jumbled all together are the highest paid employees, very highly paid employees for our little city. Now I sort of pointed out base salaries, you know, the 80,000 bracket. I did not include benefits. Also included in there were employees who are not highly paid. It's a jumble. Well I'm sorry, I believe that our directors are over paid. I will put that bluntly. And they're probably very angry with me, but that is exactly the way I feel. I don't believe that they should have 1% or 2%. And I believe the ordinance was written that way so that, oh yes, we will not discriminate against anybody, no matter how much money they're getting from you, the taxpayer. And I can't go with that."

Councilman G. Frey: "Well Mrs. Brown, I am proposing to read each one of them individually, and you can vote aye or nay. You can vote for 2%..."

Councilwoman Brown: "Do whatever you want."

Councilman G. Frey: "...for the ones you want, you can vote against the ones that you don't want."

President Albier: "Mrs. Pucci."

Councilwoman Pucci: "For several years now we've talked about doing a comparison on how our compensation compares to other cities. And we even went so far as to bring in some auditors from the Performance Audit Division of the State Auditor's Office. At the time we thought that a logical place to start would be with the non-bargained for employees, because obviously with the employees in bargaining units, that's all governed by contracts. It was more expensive to do this than we anticipated, and at that time we did not have the extra funds. I still think this is something that we should consider moving forward on. Even if we don't hire somebody, I think we could at some point this year, you know, even if we send out surveys on our own to other cities, just to get an idea of where we fall in the ranges of compensation for our non-bargained for employees. I don't have a problem increasing the non-bargained for employees from the 1% to the 2% for 2005; but I would hope that at some point in 2006 we could at least get some idea on where we fall. And I'm not saying we're going to pick out one city and say, well we should be exactly the same. But I think if we get a nice range of other communities, I think that information would be beneficial to us."

Councilman G. Frey: "I would agree."

President Albier: "Thank you. Anyone else? I have a comment. If we do this tonight, it's exactly the same thing we did the last meeting, and we should have brought it up at a Finance meeting."

Councilman G. Frey: "We certainly should. But if that's the way we're going to do business, then that's the way we're going to do business. I'll play by the rules; however, I will not have two sets of rules. Okay?"

President Albier: "Well let's get back to the first set."

Councilman G. Frey: "Alright. You know, I... Under Rule 16, Reconsideration, I can bring that back up."

President Albier: "Yes."

Councilman G. Frey: "And I do."

President Albier: "Okay. Anyone else care to comment?"

Councilwoman Pucci: "I just have a question, it's probably Mr. Shaper..."

Councilman G. Frey: "I... Excuse me, I'm sorry Kathy."

Councilwoman Pucci: "I was just going to say, you mentioned about reading each, I don't want to say employee, position..."

Councilman G. Frey: "For Mrs. Brown, because she expressed at the last meeting that..."

Councilwoman Pucci: "But the ordinance wasn't written that way, so I don't know if that's an issue or not."

Councilwoman Brown: "Gregory, this would involve having a list of every employee..."

Councilman G. Frey: "They're part of Ordinance 2005-49."

Councilwoman Brown: "Salary."

Councilman G. Frey: "No, none of the salaries are listed, the positions are listed."

Councilwoman Brown: "No, if you want that position, each one individually, then the yearly salary would have to be stated."

Councilman G. Frey: "It would not have to be anymore than the service garage or the fire fighters, the police or the AFSCME workers. No, we don't have those individual salaries... I mean, those are public records."

Councilwoman Brown: "Yes, they certainly are."

Councilman G. Frey: "If you want them, they're certainly available, Mrs. Griffin, Georgi."

Councilwoman Pucci: "Mr. Albier..."

President Albier: "Just a minute, let's hear Mr. Shaper."

Councilwoman Pucci: "Okay."

Director Shaper: "If it were the other way, and we had a number of ordinances, in order to combine then, there might be an issue as to whether it was one ordinance covering multiple topics. What we have here is one ordinance that everybody agreed was one topic, and voted on. I do not see anything wrong with subdividing one topic into a number of topics. I would suggest numbering-wise you might want to do it by letter, as to keep our numbering consistent. Make it... I don't know what, is this Ordinance 49?"

Councilman G. Frey: "49."

Director Shaper: "You might do 49-A, 49-B, since they're related. But we are... A reconsideration is as if this is now being brought up again, brought up almost, if it passes the reconsideration we deal with it then. The first thing that would have to happen would be to reconsider it. Now you have the ordinance as if it's fresh, looking at it for the first time, more or less; and if this issue had come up the first time, and you asked could we divide it into a number of groups, I would have told you yes. I do not see why it would be different on reconsideration. But until it gets reconsidered or not reconsidered, it's not right for an answer."

Councilwoman Pucci: "Mr. Albier, I have another question. Oh, I'm sorry, go ahead Greg."

President Albier: "Yes."

Councilman G. Frey: "I just, as a matter of edification, I did check, the cost of implementing all of 2005-49 is \$6,000."

Councilwoman Pucci: "That was actually my question."

Councilman G. Frey: "Okay."

Councilwoman Pucci: "Thank you."

President Albier: "Does anyone else care to speak?"

Councilman J. Frey: "Yes, I call for the vote."

Councilwoman Brown: "If Mr. Frey would be happier to have individual positions voted on, that's fine, I'll accept that."

President Albier: "Alright, I have one request, Greg, that you hold off on this till we get down to the ordinances, so perhaps we could get a copy of this ordinance and it can be in front of each one of us, because I don't have mine with me."

Councilwoman Gallagher: "Yeah, I don't have mine."

Councilwoman Pucci: "I think I have mine."

Councilman G. Frey: "You want me to make a motion to amend the agenda to include this?"

President Albier: "You can do that, but I'm saying I don't want to vote on it till we get down to the agenda..."

Councilman G. Frey: "That's fine. Mrs. Thompson, will you make copies of 2005-49 for everybody? It's in the minutes, but..."

President Albier: "Alright, do you have anything else?"

Councilman G. Frey: "Welcome to Mr. Patton. Thanks Chief Murphy. Thank you to all the employees. Happy new year to everybody. And thank you for coming out tonight."

President Albier: "Okay, next, but not least, is our new Councilman, Mr. Craig Patton."

Councilman Craig Patton: "Thank you Mr. Albier. First of all, and foremost, I'd like to thank the residents of the City of Brooklyn for giving me this opportunity to serve as your new Councilman. And I'd also like to thank my family and friends that helped out with my campaign. It was a very trying five months. And I came out on top, and I appreciate all the work that everybody did for me. I'd also like to give a whole bunch of thanks to my wife, Jenna, my two children for dealing with the five months of stress and not being home, and walking and everything else. So thank you very much. Mr. Kappler, I had two things, they're

both good. I have, I'd like to thank you first and foremost for getting those potholes taken care of for me on Roodan. The resident that called, he had two humongous potholes in front of his yard, after the snow started to melt. And I think one of his grandchildren tried getting up there on a bike or a sled and almost fell right into the pothole in the middle of the street. So thank you very much for getting those taken care of. And also, I did get a phone call two days ago from a resident that lives on Ridge Road. He just wanted to express his thanks to the service workers, especially the pullers. His wife is elderly and she has a hard time walking down the stairs to get to her car. She was carrying a bag of garbage and her purse and everything else she was carrying, and one of the pullers went out of their way to come across the street to get the bag of garbage for her, put it on the treelawn for her, and help her into her car. So tell everybody down at the city garage that they do a great job and they are appreciated."

Director Kappler: "Thank you, I will pass that on."

Councilman Patton: "And really I have nothing more, Mr. Balbier, other than for 28 years I don't know how Tom Coyne sat between these two guys, they need so much elbow room it's unbelievable. So that is all I have. Thanks."

President Balbier: "Thank you. Next we'll have the reports of the Mayor. Mayor's report."

Mayor Ken Patton: "Okay, I also would like to welcome Councilman Craig Patton. And I'd like you to make note this evening that all the other guys up here have mostly gray hair."

President Balbier: "The ones that have hair."

Mayor Patton: "I want to reaffirm our residents, we have the highest level of review in the State of Ohio on our finances. We have won consecutive awards by the Government Finance Officers Association, and we've also won three consecutive Auditor's Award from the Auditor of the State of Ohio. And only 4% of the people get that award who get the GFOA Award. We did talk to the elevator architect, and we are going to get a price for an elevator in the near future. We hope we can get that very soon. Congratulations to Mr. Jim Sovizral, a 30 year veteran of the Service Department retired on December 30th. We wish him well. If you have your notebook ready, we have a lot of meetings coming up. The State of the City will be given at the Republican Club on January 16th, it's a Monday, at 7 p.m. The State of the City will be given at the Chamber of Commerce luncheon meeting on Thursday the 19th at 11:45. Then also the same evening we have the Master Plan, it's from 6-8 p.m. over at the Senior Center. And that will be televised for those who cannot attend that meeting. It'll be tape delayed, probably the next day or two, and we hope to run that often so everyone can be a part of what is our Brooklyn future. And then finally the State of the City will be given at the Democratic Club on Friday the 20th at 7 p.m. At this time I would like Mr. Don Hilberg to come forward, and his wife Carrie. I have requested Council's confirmation of Mr. Don Hilberg as Safety Director. He was a fire fighter for over 30 years in our department here in Brooklyn. We're very proud of him. He was Acting Chief, inspector, and everything that goes with it. He's a very quality character type person. And I ask Council's confirmation at this time to confirm Mr. Don Hilberg as our Safety Director."

Councilwoman Pucci: "Move to approve..."

Councilman J. Frey: "So move."

Councilwoman Pucci: "...Don Hilberg as Safety Director."

Councilman G. Frey: "Second."

Councilwoman Gallagher: "Second."

Councilwoman Brown: "Second."

President Balbier: "Before we vote does anybody have any comments they'd like to make?"

Councilman G. Frey: "I do. Don Hilberg is a friend of mine for a long time. I hope that doesn't work against him anyway. He is truly a fine, fine man with an... Again, I'm going to talk about Brooklyn families. The

family comes from Brooklyn, they have contributed much to this community. Carrie, his wife, is just a lovely person. And not only will Don make a great Safety Director, he will make great sausage now and again. So congratulations Don, I know you'll do a great job."

Councilman J. Frey: "I too would like to comment. I've known Don and Carrie a long, long time. And he's the kind of guy that, when I was having troubles with hip surgery many years ago, there'd be a guy out in my front yard snowblowing, and it would be Don Hilberg taking care to see to it that the snowblowing was done and the walkways to the garage. And he does things like that for people out of the kindness of his heart. A nice guy, a nice family, and just my pleasure to have known him all these years. Welcome aboard."

Don Hilberg: "I'd like to say one thing."

Councilman J. Frey: "Oh no, I didn't want..."

Mr. Hilberg: "Famous statement made by John Frey out at Ridgewood Golf Course in the spring on the 4th hole I believe it is..."

Councilman J. Frey: "Yes."

Mr. Hilberg: "...and the other group was on the 5th hole, and they were yelling something at John Frey, and he turns up and looks at us and he said, 'The hell with you guys, I don't need you for four more years.' "

President Albier: "Anyone else?"

Councilwoman Pucci: "May I be recognized?"

President Albier: "Mrs. Pucci."

Councilwoman Pucci: "I just want to say that I think this is a great selection. I have all the confidence in the world that you'll do a great job. And I want to share something with you that my father-in-law, who is a retired Fire Chief in Brooklyn said. When I told him, he was of course very pleased, and he said to congratulate you. And he said Don knows the rules and he'll make sure they'll be followed. So congratulations Don."

President Albier: "Mrs. Brown."

Councilwoman Brown: "Well not only am I congratulating you, Mr. Hilberg, but I congratulate the Mayor on making an excellent choice."

President Albier: "I also would like to say I've known Don for 40 years, and he's an honest man, and what more could you want than honesty. And I think with all this I think he's going to pass. We make a motion we approve Mr. Hilberg for Safety Director."

Councilman G. Frey: "I think we have a motion and a second."

Councilwoman Pucci: "We have that already."

Clerk Fisk: "To approve Mr. Don Hilberg as Safety Director, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Mayor Patton: "Don, please raise your right hand and repeat after me."

Mayor Patton/Don Hilberg: "I, Donald Hilberg, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, and the Charter and laws of the City of Brooklyn, Ohio. And I will faithfully, honestly and impartially discharge and perform all duties incumbent on me as Safety Director in the City of Brooklyn, Ohio, according to the best of my ability and understanding. This I promise as I shall answer to God."

Mayor Patton: "Congratulations. Now we have a 62 page schedule for you, Don, for you to follow up, but it's not official until you sign this after the meeting. Thank you Council. I also request Council confirmation of Robert Aldridge as a member of the Fair Housing Committee, term to expire 12/31/07."

Councilwoman Pucci: "Move to approve Robert Aldridge."

Councilwoman Gallagher: "Second."

Councilwoman Brown: "Second."

Clerk Fisk: "To approve Robert Aldridge as a member of the Fair Housing Committee, John Frey."

"Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Mayor Patton: "Okay, Bob's right there. Stand up please. Thank you. Okay, I want to squelch a rumor. One came in that the city's going to ask for additional funding on millage for our fire station construction. Okay, here we go. The city has no plans to ask our citizens for additional millage for fire construction of our fire station. Okay? Very easy going there. We have a letter from Michael Kennedy, he's our consultant for our natural gas. 'Small savings for December, but the market has dropped dramatically the last two weeks, about \$4 per mcf at the well-head due to the warmer than normal weather, so far, and storage still near full. What a blessing. We should see substantial savings over the tariffs on the next adjustment due around the 20th of January. Tell the residents relief is on the way.' And it can't come fast enough. A letter from Betty Montgomery. 'Congratulations on receiving the Auditor of State's Award for your financial reporting. I commend your administration for its excellent performance.' And this came in late in the year, so we decided to put it out there again. Friendly reminders. Our Senior Center will be closed on Martin Luther King holiday, which is January 16, 2006. Again, the Master Plan meeting is Thursday the 19th at 6 p.m. Please come and help discuss our future. It will be televised and on tape delay. We don't know what days it will be shown as of this time. Cleveland Sight Center will be over at our Senior Center also on Thursday the 19th between 9 a.m. and 12 noon. And please call for your appointment. The Sight Center comes every month to help you overcome sight problems with the use of visual aids. Blood pressure readings. Lutheran Hospital provides blood pressure readings every Tuesday from 1-2:30 p.m. In addition, the Brooklyn paramedics will be available at the Brooklyn Senior Center for blood pressure readings the second and fourth Thursdays, January 12th and also January 26th, from 10-11 a.m. Medical assistance, Friday, January 13th, 11-12:30. Call the Brooklyn Senior Center to make your appointment with Ellen. We have an after luncheon speaker, Assistant County Prosecutor Maureen Clancy will be at the Senior Center on January 12th, speaking of how to prevent scams against the elderly. We have Wednesday evening classes and speakers at our Senior Center. Ceramics class is Wednesday, the time is 6:30. This is an evening program open to all adults. And TBI Tours travelogue at 7 p.m. will preview an upcoming trip for 2006: British sampler, New York and the Hudson River Valley, scenic coastal California. So there's many trips to choose from. And also, Monday evenings Weight Watchers is at the Brooklyn Senior Center, there's a meeting time of 5:30. Registrations and weigh-ins begin a half hour prior to the start of the meeting time. Doors open at 5:00, and senior discounts are available. Okay, to clear the air, at last meeting something was brought up about the fire contract and the city wanting to take over paying for what was called fact finding. The facts are, the fire contract with the city went to mediation, the cost to each party involved is \$288.30. The fact finding process was never used. Financial information was available for over six months, as indicated in the mid-year financial update supplied to Council. I have some comments from the last meeting, and I have usually been a pretty passive fellow, but I have to say a few things here. Since January 1, 2005, three people from the

service garage have retired. A statement was made 'Our laborers of Local 1099 have been working harder since we have not replaced retirees, they still get the job done.' We have various shifts which work, we're actually working smarter. 'The laborers of 1099 deserve this.' And then there was, 'Could I have a second, let's take a vote.' Looks like we wanted to vote very quickly on this, because two seconds later, 'We'd like to take a vote.' Then we go on. Former Councilman said, 'It's kind of like you're a second rate citizen, you're only worth half of what the Fire Department is.' I don't buy that. What about the non-union employees? Is this fair to them? Councilwoman said, 'Are you indicating that the fire fighters are more prestigious than the service workers?' Law Director, 'I'm not indicating that any person on this planet is worth more than anybody else.' Councilwoman, 'I should hope not.' Well, are you indicating that the fire fighters are more prestigious than the non-union employees that work here? When we talk of surpluses, it is what carries over for the bad times we have to go through. It's for our rainy day fund. It's for the unseen. It's for the higher gas prices. It's for the heating bills. It's for elevators. Some Councilmembers have a selective memory. One Councilwoman said, 'I can't remember a time in history, and I'm including before I got on this Council, where employees did not receive the same percentage raises.' The very last contract for the dispatchers was different. Pertaining to Ordinance 49, we have very well paid directors. Very well paid directors in the category of \$80,000. And we go on several times, one, two, three, four, five, five different classifications stated that they're making \$80,000. And then statements, 'I don't know what they earn.' Well, maybe the people aren't getting much for their money when it comes to Council doing their job, because they can't remember things like, you voted on their pay raises, you know what they make. And no director has made \$80,000 or more, base salary, under my administration. As evidenced by this evening, the reports that were stated, this Council gets more information now than ever in a previous administration. Council has always demanded that my administration give them information in advance so it may properly evaluate the situation on an issue. It does not like to be surprised on the floor. A segment of Council treated the rest of us with disrespect and disregard. It forced a decision that has numerous ramifications that must be made seconds before, and there's absolutely no emergency. It definitely put us in a disadvantage in the current negotiations. That's my report."

President Albier: "Thank you Mayor. Next we'll have the directors reports. First is the Finance Director, Mr. Fisk."

Director Fisk: "I also would like to go through and set the record straight. During the election there was a comment that I gloom and doom throughout the year and then suddenly come up with money at the end of the year. And that same comment was made this evening. At the beginning of this year, our expenses were projected to exceed revenues by about \$1.9 million. The Council, the administration, the directors, went through and cut \$1 million in expenses and redistributed another \$328,000 in revenues to reduce that gap. Even so, we still expected about a half million in difference between revenue and expense at the beginning of the year. I began reporting in April that income tax collections were up considerably from 2004. In the mid-year review I indicated that income tax collections were up \$492,000 over the previous year. I updated our projected revenues and expenses for the end of the year, and I updated the Finance Committee and City Council and provided a full written report at that time. Throughout the fall I again updated City Council on our Income Tax collections and our projected revenues and expenditures; and at the end of the third quarter I provided another written report indicating that Income Tax collection was up over \$800,000 and what the new projected expenses and revenues would be. Updates have been given for over nine months on the status of our finances, and City Council and the Finance Committee have been provided full information on what was taking place. To a second subject, the Finance Department will complete its end of year processing by Friday, and will certify our end of the year fund balances and our 2006 estimated revenues to the County Budget Commission. Thank you Mr. President."

President Albier: "Thank you Mr. Fisk. Next is the Service Department, Mr. Kappler."

Director Kappler: "Thank you Mr. Albier. I just have one thing to report on. Monday, January 16th is Martin Luther King Day. City Hall and the Service Garage will be closed, and rubbish will be one day late this week."

President Albier: "Thank you Mr. Kappler. Next is the Building Department, Mr. Ockington."

Comm. Ockington: "Thank you Mr. Albier. I have several updates. Gateway Safety Company is now occupying 60,000 square feet in the former Ames Store on Memphis Avenue, and they will continue to

redevelop the remaining vacant areas of the building for light industrial warehouse uses. Aspen Dental is currently constructing a dental clinic at Ridge Park Square next to Circuit City and will be open for business in early March. And Progressive Insurance will expanding this spring on Northcliff Avenue, occupying an additional 4500 square feet of office space in Brooklyn Corporate Center. That concludes my report."

President Albier: "Thank you Mr. Ockington. The Police Department, Chief Murphy."

Chief Murphy: "No report."

President Albier: "Thank you Chief. The Fire Department, Chief Duchoslav."

Chief Duchoslav: "No report sir."

President Albier: "Thank you Chief. The Law Department, Mr. Shaper."

Director Shaper: "No report at this time."

President Albier: "The Rec Department, Sandy Balzer."

Mgr. Balzer: "No report."

President Albier: "Well that went nice and easy. Alright, we have a couple monthly reports. And all these monthly reports can be seen at the City Hall if you want to look them over. The first is from the Rec Department for the month of December. They took in a total of \$47,587.91. The Fire Department's report for December 2005, they had 105 rescue squad runs, 54 fire runs, and they took in from the fees a total of \$21,638. Next is the Mayor's Court. For the total monies taken in for the month of December was \$51,153.20. Social programs from the Brooklyn Senior Center, they took in a total of \$4,166.35. For the entire year I believe this one's for, \$80,300.67. And that for the Senior Center. Next we'll have any audience remarks pertaining to legislation we're about to discuss on the agenda. Mr. Shaper."

Director Shaper: "I know I said no report, but I do not want the Silver Sneakers contract ignored. If somebody, if we can talk about that some time tonight I would appreciate that."

President Albier: "Okay. Anyone care to comment? We'll then go into our agenda. Donna, do you have those copies for us, or what?"

Mrs. Thompson: "I gave them to..."

Councilwoman Pucci: "Yes. The Mayor was talking, sorry, I didn't want to interrupt you."

President Albier: "Alright Greg, do you want to bring this up now and go, what, go through them one by one or what?"

Councilman G. Frey: "I'm prepared to go through them one by one."

President Albier: "Alright, we have to take a vote first to reconsider."

Councilman G. Frey: "Okay, I make a motion that we reconsider Ordinance #2005-49."

Councilman J. Frey: "Second the motion."

Councilwoman Pucci: "Amended. Second."

Clerk Fisk: "To reconsider Ordinance 2005-49, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "No."
Councilwoman Gallagher: "Yea."

"Greg Frey."
"Craig Patton."

Councilman G. Frey: "Yea."
Councilman Patton: "Yea."

Clerk Fisk: "Reconsideration passes."

Councilwoman Brown: "Discussion?"

President Albier: "Mrs. Brown."

Councilwoman Brown: "Since the Mayor pointed out that I may be wrong on some of the payroll salaries, I would ask to hold this until the next Council meeting, until I can get the correct compensations for all of these positions, before I can vote on each one separately. I don't have enough information on it."

Councilman G. Frey: "Well, you know, that would be fine if at the last meeting we had done that kind of thing."

Councilwoman Brown: "You know, it came out..."

Councilman G. Frey: "But we didn't."

Councilwoman Brown: "It came out of the blue..."

Councilman G. Frey: "Now wait a minute. Now wait a minute."

President Albier: "Hold it. Greg, you have the floor."

Councilman G. Frey: "Okay. At the last meeting we go bing, bang and we're going 1% to 2% because somebody said so, alright. Nobody asked, well what are these people making. There were no names, there were no salaries. We were told that it would cost an amount of dollars, okay. So why we would now all of a sudden, we need to have names and salaries so that we can read that into public record. It is public record. Any of you want to know what employees at the City of Brooklyn make, file a public records request and you will be provided with that information. It is public record. For us to discuss it here at a Council meeting I think is wrong, okay. So, you know, I would oppose doing it."

Councilwoman Brown: "Then why are you bringing it up?"

Councilman G. Frey: "I'm bringing it up because, as a matter of fairness, if we have given every other employee of the City of Brooklyn a 2% raise, 2% what are we calling it?"

Councilman J. Frey: "Bonus."

Councilwoman Pucci: "Additional compensation."

Councilman G. Frey: "Additional compensation, then we ought to treat the non-union employees to the 2% as well. It's just a fairness issue."

President Albier: "Mr. Shaper."

Director Shaper: "I'm going to point this out. This is a motion for reconsideration, meaning this has already come up before. And I want to point out that tonight the residents, the people who all of us serve, had an opportunity to see what was going to happen, and an opportunity to comment on it. This is different than what took place last week. Last week people were lead to believe there's a 1% increase on the agenda, that I thought all of us shared in this room, whether we all agreed on the substance within it. But after the public has its chance to say its peace, and then it is in a sense barred, that is when the ordinance changes and becomes, the compensation changes, and no one's allowed to speak at that point. Tonight is different. Tonight there is a motion for reconsideration. The public's told what's going to be reconsidered. It's open to the comment, and there is no comment, which I assume is the comment, a no comment. And in terms of people saying they don't have innovation to vote, every person that's being voted on was voted upon last

week, two weeks ago, collectively. To say that there's no information now, that information should have been... It's a matter of opinion, but I would think that information would have been known at the point in time votes were cast, at that point in time."

Councilman G. Frey: "I would comment, Mrs. Brown. The reason I'm willing to go through this one by one is in deference to you. You had indicated at the last meeting that you couldn't vote for all of those, although you indicated you could vote for some of them. Or at least that was implied, okay."

Councilwoman Brown: "Yes."

Councilman G. Frey: "And that's the reason I'm willing to go through it one by one. My personal preference is to amend the Ordinance 2005-49 as it is, right there from 1% to 2%, make that the only change. All the positions are listed in there. That's fine with me, I'm good with that."

Councilwoman Brown: "No, we'll go position by position, it's what you want."

President Albier: "Okay, no one seconded Mrs. Brown, so we're going to go ahead with this, but we'll do it position by position. I just want to make one comment. I'm not against anybody's raise at all. I was an employee here for 33 years. You want the raise. My only objection was the way we did it last week, last time, and I'm against the way we're doing it tonight. However, in Greg's defense, it is improper to give 2% to the whole city and eliminate a half a dozen people. So if no one has... Mr. Shaper."

Director Shaper: "Rich, I didn't mean to cut you off, I was just... My knee's messed up, which is why I'm approaching the bench odd. When we do it position by position, I would like to give a title to that ordinance, followed by a letter, and I would like... I'm not dictating, but I want this, if we're going to do this, we are amending an ordinance, I want to know what the name of that amended ordinance will be, and that number. I'll want a statement made that this is related to the Ordinance that started out with, and then it should be read in the same form, etc., here and here, so that when it's transcribed we'll know that we now have a number of ordinances that relate to this ordinance."

Councilman G. Frey: "May I take a run at this?"

Director Shaper: "I'm looking forward to it."

Councilwoman Pucci: "Greg, may I just point one thing out? That it was amended once, just so everybody follows this, in the first whereas. Instead of 2005 that was changed to 2004. So it's going to be a second amendment to the original."

President Albier: "Okay."

Director Shaper: "Right."

Councilman G. Frey: "I move that we change the wording in Ordinance 2005-49, and we pass an ordinance authorizing the Mayor of the City of Brooklyn, Ohio to pay 2% in additional compensation for 2005, is that correct, to the positions of...to A, the positions of the Civil Service Commission."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-A** Amended, to pay 2% in 2005 in additional compensation to the Civil Service Commission, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "B, the Building Commissioner. I move that... All of these are going to be B, C, right on down the line."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-B** Amended, to pay 2% to the Building Commissioner in additional compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "C, the Director of Public Service."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-C**, Amended, to pay the Director of Public Service an additional 2% on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "D, the General Foreman."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-D**, to pay the General Foreman 2% of additional compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "E, the Fire Chief."

Councilman J. Frey: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-E**, to pay the Fire Chief 2% in additional compensation on the base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "F, the Chief of Police."

Councilwoman Pucci: "Second."

Councilman Patton: "Second."

Clerk Fisk: "**2005-49-F**, to pay the Chief of Police an additional 2% compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "G, the Recreation Manager."

Councilman Patton: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-G**, to pay the Recreation Manager an additional 2% in compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Recreation Manager hasn't held this position that long, no."

Clerk Fisk: "Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "H, the Coordinator of Senior Citizens, Senior Services."

Councilwoman Gallagher: "Second."

Councilman J. Frey: "Second."

Clerk Fisk: "**2005-49-H**, to pay the Coordinator of Senior Services an additional 2% on compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "I, the Administrative Assistant to the Mayor."

Councilman J. Frey: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: " **2005-49-I**, to pay the Administrative Assistant to the Mayor an additional 2% in compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

"Craig Patton."

Councilman Patton: "Yea."

Councilman G. Frey: "J, the Executive Secretary to the Mayor."

Councilman Patton: "Second."

Clerk Fisk: "**2005-49-J**, to pay the Executive Secretary to the Mayor an additional 2% in compensation on base pay earned in 2005, John Frey."

"Rich Albier."

Councilman J. Frey: "Yea."

"Kathy Pucci."

Councilman Albier: "Yea."

"Rita Brown."

Councilwoman Pucci: "Yea."

"Colleen Gallagher."

Councilwoman Brown: "Yea."

"Greg Frey."

Councilwoman Gallagher: "Yea."

"Craig Patton."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "K, the Director of Law."

Councilwoman Pucci: "Second."

Councilman J. Frey: "Yea, second."

Councilwoman Pucci: "I think he's your cheerleader, Mr. Shaper."

Clerk Fisk: "**2005-49-K**, to pay the Director of Law an additional 2% on base pay earned in 2005, John Frey."

"Rich Albier."

Councilman J. Frey: "Yea."

"Kathy Pucci."

Councilman Albier: "Yea."

"Rita Brown."

Councilwoman Pucci: "Yea."

"Colleen Gallagher."

Councilwoman Brown: "Yea."

"Greg Frey."

Councilwoman Gallagher: "Yea."

"Craig Patton."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "L, the Mayor's Court Magistrate."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-L**, to pay the Mayor's Court Magistrate an additional 2% in compensation on base pay earned in 2005, John Frey."

"Rich Albier."

Councilman J. Frey: "Yea."

"Kathy Pucci."

Councilman Albier: "Abstain."

"Rita Brown."

Councilwoman Pucci: "Yea."

"Colleen Gallagher."

Councilwoman Brown: "Yea."

"Greg Frey."

Councilwoman Gallagher: "Yea."

"Craig Patton."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "The Prosecutor, M. M, the Prosecutor."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-M**, to pay the Prosecutor an additional 2% in base pay earned in 2005, John Frey."

"Rich Albier."

Councilman J. Frey: "Yea."

"Kathy Pucci."

Councilman Albier: "Yea."

"Rita Brown."

Councilwoman Pucci: "Yea."

"Colleen Gallagher."

Councilwoman Brown: "Yea."

"Greg Frey."

Councilwoman Gallagher: "Yea."

"Craig Patton."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "And last, but not least, first in our hearts, the Finance Director..."

Councilman J. Frey: "I second."

Councilwoman Pucci: "Second."

Councilman G. Frey: "...letter N."

Councilwoman Gallagher: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "**2005-49-N**, to pay the Finance Director an additional 2% in compensation on base pay earned in 2005, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Thank you. Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "No."

Councilwoman Gallagher: "Yea, yea, yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilman G. Frey: "I want to thank you all for your consideration, appreciate it."

President Albier: "Okay, the next is **ORDINANCE 2005-55**. to put on second reading. Enacting Chapter 1360 of the Codified Ordinances of the City of Brooklyn, Ohio entitled Chapter 1360 Property Maintenance and Rental Licensing Code."

Councilman J. Frey: "Put on second reading."

Councilwoman Pucci: "Second."

Clerk Fisk: "To place Ordinance 2005-55 on second reading, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

President Albier: "**ORDINANCE 2006-1**. Authorizing agreements between the City of Brooklyn and the Greater Cleveland High School Hockey League for the use of the John M. Coyne Recreation Center for the Baron Cup ice hockey tournaments to be held February 6, 2006 through February 12, 2006."

Councilwoman Pucci: "I move we amend on the second page, it's Section 2, to strike February 6 and insert February 12."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To approve Ordinance 2006-1, as amended, John Frey." Councilman J. Frey: "Yea."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To suspend the rules, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Craig Patton."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Patton: "Yea."

Clerk Fisk: "To adopt, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Craig Patton."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Patton: "Yea."

President Albier: "Does the Mayor or any other Councilperson have anything else that they wish to bring before Council?"

Councilwoman Pucci: "We have one more thing, the Ohio High School Athletic Association sectionals and districts. And also the..."

President Albier: "Silver..."

Councilwoman Pucci: "...Silver Sneakers. I was going to say silver spoons."

President Albier: "Alright, what was the one about the..."

Councilwoman Pucci: "We have a letter from Sandy Balzer for the Ohio High School Athletic Association, the sectionals and the districts. I move we approve."

Councilwoman Gallagher: "Second."

President Albier: "Okay, we have a motion and Colleen, you seconded it?"

Councilwoman Gallagher: "Yes sir."

President Albier: "Okay, this is to approve the 16 games that will be played between February 13, 2006, including on March 4, 2006."

Clerk Fisk: "To approve the Ohio High School Athletic Association sectional and district games being played here at Brooklyn, John Frey." "Rich Albier." "Kathy Pucci." "Rita Brown." "Colleen Gallagher." "Greg Frey." "Craig Patton."	Councilman J. Frey: "Yea." Councilman Albier: "Yea." Councilwoman Pucci: "Yea." Councilwoman Brown: "Yea." Councilwoman Gallagher: "Yea." Councilman G. Frey: "Yea." Councilman Patton: "Yea."
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Councilwoman Pucci: "I move we approve the Silver Sneaker program. Maybe Sandy could get up and explain to the residents, or do you think that's premature? Okay."

Councilman Patton: "I'll second."

Councilwoman Pucci: "Just so everyone knows, we don't know if our site's been selected yet. That's why it may be a little premature."

Clerk Fisk: "To approve the..."

Councilwoman Pucci: "Contract."

Clerk Fisk: "...contract for the Silver Sneakers program to begin at the Brooklyn facilities, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

President Albier: "Now does the Mayor or any Councilperson have anything else they wish to state?"

Councilman J. Frey: "Well I would like to at least welcome Craig Patton, the new Councilman, and wish everybody a healthy new year. 2005 was a bust for Mary and I. We had a lot of health problems. 2006 has started out great, we hope it stays that way. And I wish the same thing for all our health this year."

President Albier: "I need a motion to adjourn."

Councilman J. Frey: "I move..."

Councilwoman Pucci: "So move."

Councilman J. Frey: "...we adjourn."

Councilwoman Gallagher: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "To adjourn, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Craig Patton."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Patton: "Yea."

Meeting adjourned.

Clerk of Council

M A Y O R